

City of Sacramento



Recycling and Solid Waste Disposal Regulations

Zoning Ordinance Section 34

Effective July 25, 1991

June 25, 1991

City Council
Sacramento, California

Honorable Members in Session:

**SUBJECT: ZONING ORDINANCE AMENDMENT RELATING TO RECYCLING AND SOLID WASTE
DISPOSAL REQUIREMENTS FOR NEW AND EXISTING DEVELOPMENT (M90-003)**

SUMMARY

The proposed ordinance would add a Section 34 to the Zoning Ordinance to include recycling and solid waste disposal requirements for new and existing development. The Recycling Zoning Ordinance amendment does not mandate recycling by development but does require sufficient enclosure/ receptacle space be set aside for the management of recyclable materials on-site. The Planning Commission and the Joint Budget and Finance and Transportation and Community Development Committee recommend that the City Council adopt the attached Zoning Ordinance amendment.

BACKGROUND INFORMATION

On August 29, 1989, the City Council approved a resolution establishing Recycling and Waste Reduction Goals. The Planning and Development Department was directed to draft Recycling Design Guidelines for the Zoning Ordinance. Approval of the proposed design guidelines was continued until the Direct Haul Environmental Impact Report could be completed.

The proposed design guidelines would ensure that each residential, commercial, and industrial, new and existing development would have the allocated space necessary to separate and store recycled material in a convenient and accessible manner. The new development requirements would become effective 30 days after the ordinance is adopted. The requirements for existing development would become effective after the proper notification of property owners has been completed and a two year period of compliance has expired.

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The location and use of recycling receptacles would assist the City in meeting its waste reduction goals and maximize the amount of solid waste that is recycled. In light of the major technological advances being made to reuse previously un reusable products, the emphasis being placed globally on the importance of recycling, and the uncertainty of market conditions, these guidelines have been designed to be as flexible as possible.

The proposed Zoning Ordinance amendment includes a new section, Section 34- Recycling and Solid Waste Disposal Regulations and the relocation and modification of Section 2.1- Reverse Vending Machines into new Section 34.1- Site Regulations for Recycling Facilities (see attached Planning Commission report and proposed Ordinance).

The Environmental Coordinator has determined that the proposed Zoning Ordinance amendment will not have a significant adverse effect on the environment and has filed a negative declaration.

FINANCIAL DATA

Planning and building staff will review each development's recycling program and check compliance with the design guidelines for each project, estimated to take from fifteen minutes to an hour. The Planning Department cost incurred for the added review will be recouped through additional billable hours from the developer. Also, Solid Waste staff will review proposed recycling programs for existing development once notification of property owners is conducted. Proper budgeting of Solid Waste staff resources can be completed before the owner notification is conducted.

POLICY CONSIDERATIONS

The Ordinance is proposed to help implement new solid waste reduction policies previously adopted by the City Council by requiring recycling and solid waste collection enclosures and containers.

MBE/WBE EFFORTS

Since no goods or services are being purchased, MBE/WBE efforts are not applicable.

VOTE OF THE PLANNING COMMISSION

On April 25, 1991, the Planning Commission, by a vote of six ayes, zero nos, and three absent, recommended approval of the attached Zoning Ordinance amendment.

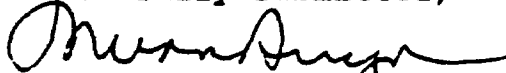
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RECOMMENDATION

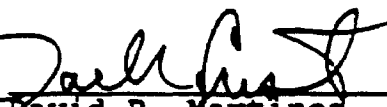
The Planning Commission and staff recommend the Joint Budget and Finance and Transportation and Community Development Committee take the following action:

Recommend approval of the attached Zoning Ordinance Amendment related to Recycling and Solid Waste Requirements for new and existing development and forward to the City Council.

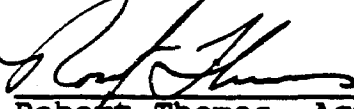
Respectfully submitted;


Marty Van Duyn, Planning Director
Planning and Development Department

RECOMMENDATION APPROVED:


David R. Martinez
Deputy City Manager

Approved:


Robert Thomas, Acting Director
Planning and Development Department

Contact Person:
Carol Shearly, Assistant Planner
449-5604

May 14, 19991
ALL DISTRICTS

MVD:CS
RECYCLNG.JTC

Planning Commission
Sacramento, California

Members in Session:

Subject: A. Negative Declaration

B. Zoning Ordinance Amendment relating to regulation of recycling and solid waste disposal requirements for new and existing development(M90-003)

LOCATION: City wide

SUMMARY: The proposed Zoning Ordinance amendment would add a Section 34 to the Zoning Ordinance to include recycling and solid waste disposal requirements for new and existing development. The ordinance moves current Section 2.1- Reverse Vending Machines, Mobile Recycling Units, and Small Collection Facilities into Section 34 and modifies that section on the siting of a variety of recycling facilities. The amendment also modifies the Land Use matrix in Section 2 to reflect the language regarding the siting of facilities in Section 34 and adds definitions for recycling collection facilities, material recovery facilities, and composting facilities. The Recycling Zoning Ordinance amendment does not mandate recycling by development but does require sufficient enclosure/ receptacle space be set aside for the management of recyclable materials on-site. Staff recommends that the Planning Commission recommend adoption of the attached Zoning Ordinance amendment and forward to the City Council.

BACKGROUND INFORMATION: On August 29, 1989, the City Council approved a resolution establishing Recycling and Waste Reduction Goals (see Exhibit A). In March 1990, the Council directed staff to develop recommendations for implementation of a Curbside Recycling Program and other tasks. In Exhibit E of the resolution the Planning and Development Department was directed to draft Recycling Design Guidelines for the Zoning Ordinance (see Exhibit B). Approval of the proposed design guidelines was continued until the Direct Haul Environmental Impact Report could be completed.

The proposed design guidelines would ensure that each residential, commercial, and industrial establishment and development would have the allocated space necessary to separate and store recycled material in a convenient and accessible manner. The location and use of recycling receptacles would assist the City in meeting its waste reduction goals and maximize the amount of solid waste that is recycled. In light of the major technological advances being made to reuse previously unrecusable products, the emphasis being placed globally on the importance of recycling, and the uncertainty of market conditions, these guidelines have been designed to be as flexible as possible.

The proposed Zoning Ordinance amendment includes a new section, Section 34, on Recycling and Solid Waste Disposal Regulations; a modification of the land use matrix in Section 2 for recycling facilities; addition of new definitions in Section 22; a relocation of a modified Section 3-D-9 on Trash Enclosure Requirements into Section 34; and a relocation of a modified Section 2.1 on Reverse Vending Machines into the new Section 34.1 Site Regulations for Recycling Facilities.

Proposed Section 34 - Recycling and Solid Waste Disposal Regulations is organized by subsections as follows:

A.B.C. Purpose - includes the purpose of the ordinance and specifies to whom the ordinance applies.

D. Statement of Recycling Information - information related to recycling activities is required including a recyclable materials flow chart, a site plan, construction and demolition plans, and an education/ public relations plan. This information must be submitted with the application.

- E. Chart of Recycling Volume and Suggested Materials to be Recycled - specifies volume allocation and suggested materials to be recycled for each land use.
- F. Design Guidelines for Enclosures and Receptacles - specifies design requirements for enclosures and receptacles.
- G. Existing Development Requirements - specifies design requirements and period of compliance for existing development. Before recycling design guidelines are required for existing development, property owners of these establishments must be notified through the city utility billing process. The ordinance does not mandate notification of property owners of existing development but allows the City to notify these owners when it is prepared to handle the enforcement of the recycling requirements.
- H. Special Design Guidelines - specifies design requirements in special circumstances. For example, vending machine companies would be required to supply recycling containers adjacent to vending machines.
- I. Variance - specifies a process for property owners to vary the requirements if complying with them results in a physical hardship.

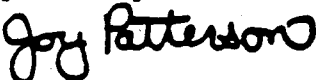
Proposed Section 34.1 is a modification of current Section 2.1 and includes the zoning and site regulations and permit process for Reverse Vending Machines, Small Collection Facilities, Large Collection Facilities, Material Recovery Facilities, and Composting Facilities.

ENVIRONMENTAL DETERMINATION: The Environmental Coordinator has determined that the proposed Zoning Ordinance amendment will not have a significant adverse effect on the environment and has filed a negative declaration.

RECOMMENDATION: Staff recommends the Planning Commission take the following actions:

- A. Ratify the Negative Declaration.
- B. Recommend approval of the attached Zoning Ordinance amendment and forward to City Council.

Respectfully submitted,



Joy Patterson
Senior Planner

Report Prepared By:
Carol Shearly
Assistant Planner

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL
ON DATE OF

An Ordinance amending Section 2-C-35, 2-D-18, 2-E-41, 2-1, 22-A-55, 22-A-56, 22-A-98, 22-A-99, 22-A-100, 22-A-101, 34, and 34-1 of the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, as amended, relating to recycling and solid waste disposal requirements for new and existing development (M90-003).

Be it enacted by the Council of the City of Sacramento:

Section 1 Changes to the Land Use Matrix

Section 2-C-35 of the Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, as amended is hereby repealed.

C.35. REPEALED- ORDINANCE NO.

Section 2 Changes to the Land Use Matrix

Section 2-C-65, 2-D-18 and 2-E-41 of the Zoning Ordinance of the City of Sacramento, Ordinance 2550, Fourth Series, as amended, is hereby amended to read as follows:

C65. Mobile Recycling Center

	R	R	R	R	R	R	R	R	R	R	R	R	R	O	R	H	S	C	C	C	C	M1	M2		A	M	S	M
	E	1	1A	1B	2	2A	2B	3A	4	4A	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
18a. Large Recycling Collection Facility																					41	41	41					
18b. Recycling Material Recovery Facility																					41	41						
18c. Composting Facility																					41	41	41					

E41. Permitted subject to the provisions of Section 34.1 of this ordinance.

Section 3 Repeal Current Section 2.1- Recycling and Section 3-D-9- Trash Enclosure Requirements

Section 2.1 of the Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, as amended, is hereby repealed.

Section 2.1- REPEALED- ORDINANCE NO.

Section 3-D-9 of the Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, as amended, is hereby repealed.

Section 3-D-9- REPEALED- ORDINANCE NO.

Section 4 Repeal Inapplicable Definitions

Section 22-A-55, 22-A-56, 22-A-98, 22-A-99, 22-A-101 of the Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, as amended, is hereby repealed.

Section 22-A-55- Recycling Plant- REPEALED- ORDINANCE NO.

Section 22-A-56- Recycling Center- REPEALED- ORDINANCE NO.

Section 22-A-98- Recyclable Material- REPEALED- ORDINANCE NO.

Section 22-A-99- Reverse Vending Machine- REPEALED- ORDINANCE NO.

Section 22-A-101- Small Recyclable Material Collection Facility- REPEALED- ORDINANCE NO.

Section 5 Definitions

Section 22-A-100 of the Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, as amended, is hereby amended to read as follows:

Section 22-A-100- The following definitions shall apply to Section 34 and 34-1 of this Ordinance:

- a. Recyclable Material: Recyclable Material is reusable material, including, but not limited to metals, glass, plastic, and paper, which are intended for reuse, remanufacture, or reconstitution for the purpose of using the altered form. Recyclable material does not include refuse or hazardous material.
- b. Reverse Vending Machine: A Reverse Vending Machine is an automated mechanical device which accepts one or more empty beverage containers, including, but not limited to aluminum cans, glass and plastic bottles, and issues a cash refund or redeemable credit slip with a value not less than the container's redemption value, as determined by the State. A reverse vending machine may sort or process containers mechanically provided that the entire process is enclosed within the machine.
- c. Mobile Recycling Center: A Mobile Recycling Center means an automobile, truck, trailer, or van licensed by the State Department of Motor Vehicles, which is used for the collection of recyclable material. A Mobile Recycling Center also means the bins, boxes, or containers transported by trucks, vans, or trailers and used for the collection of recyclable materials.
- d. Small Recyclable Material Collection Facility: A Small Collection Facility is a facility for the acceptance (donation, redemption, or sale) of recyclable materials from the public which occupies an area of not more than 500 square feet. Such a facility shall not use power-driven processing equipment except as indicated in the Criteria and Standards in Section 34.1-D-1 and 2. Small Collection Facilities are:
 - (a) Reverse Vending Machine(s);
 - (b) Mobile Recycling Center(s);
 - (c) Kiosk type units and bulk vending machines, including "igloo" receptacles; or
 - (d) Unattended receptacles placed for the donation of recyclable materials.
- e. Large Recyclable Material Collection Facility: A Large Collection Facility is a facility for the acceptance of recyclable materials from the public which occupies an area larger than 500 square feet. Such a facility may use power-driven processing equipment as indicated in the Criteria and Standards in Section 34.1-D-3.
- f. Recyclable Material Recovery Facility: A Recyclable Material Recovery Facility is a processing facility that accepts recyclable materials from collection facilities, other material recovery facilities, and the public, processes the materials into a resalable condition, and markets the materials to companies to reuse. Such a facility must meet the Criteria and Standards listed in Section 34.1-D-3.
- g. Yard Waste Composting Facility: A Yard Waste Composting Facility is a facility that accepts wood waste and yard and garden waste including leaves, grass cuttings, garden trimmings, weeds and roots, shrubbery, and tree trimmings to process into compost, wood chips, or other products. Specifically excluded from

this definition are facilities which accept sewage sludge or mixed municipal solid waste for composting. Such a facility must meet the Criteria and Standards listed in Section 34.1-D-4.

Section 6 Add Section 34 RECYCLING AND SOLID WASTE DISPOSAL REGULATIONS

Section 34 is hereby added to the Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, as amended, to read as follows:

SECTION 34: RECYCLING AND SOLID WASTE DISPOSAL REGULATIONS

- A. PURPOSE: The purpose of these regulations is to do the following:
1. Regulate the location, height, size, and design features of recycling and trash enclosures and receptacles in order to provide adequate, convenient space for the collection, storage, and loading of recyclable material at each proposed and existing multi-family residential, commercial, office, industrial, public/quasi-public development;
 2. Ensure the provision of adequate locations, which are compatible with surrounding land uses, for the collection, storage, processing, marketing, and shipping of recyclable material;
 3. Provide educational material to each development user about the importance of recycling and how to recycle;
 4. Increase the recycling of used materials; and
 5. Reduce litter.
- B. These regulations are necessary in order to:
1. Lengthen the lifespan of the City of Sacramento landfill and decrease the cost of hauling to remote disposal sites,
 2. Encourage recycling in order to reduce our reliance on and use of virgin materials,
 3. Encourage each citizen's choice to dispose of solid waste responsibly,
 4. Decrease the impact of the citizens' consumption and disposal of renewable and non-renewable materials on the environment, and
 5. Meet State mandated goals for waste reduction and recycling.
- C. These regulations apply to:
1. Multi-Family Residential Uses with 5 or more units-
 - a. New developments of this type are required to submit a Statement of Recycling Information and meet the Volume Requirements and Design Guidelines for Enclosures and Receptacles.
 - b. Existing developments of this type are required to submit a Statement of Recycling Information and meet the Volume Requirements and Design Guidelines for Enclosures and Receptacles. The property owner will be properly notified of the new regulations and must comply within a specified period of compliance.

2. Commercial, Office, Industrial, and Public/ Quasi-Public Uses-

- a. New developments of these types are required to submit a Statement of Recycling Information and meet the Volume Requirements and Design Guidelines for Enclosures and Receptacles.
- b. Existing developments of these types are required to submit a Statement of Recycling Information and meet the Volume Requirements and Design Guidelines for Enclosures and Receptacles. The property owner will be properly notified of the new regulations and must comply within a specified period of compliance.

D. STATEMENT OF RECYCLING INFORMATION REQUIREMENT:

1. A Statement of Recycling Information is required for each new commercial, office, industrial, public/ quasi-public, and multi-family residential development consisting of five or more units prior to issuance of a building permit. A Statement of Recycling Information is required from each existing commercial, office, industrial, public/ quasi-public, and multi-family residential use consisting of five or more units after proper notification and prior to the closing date for compliance. A Statement of Recycling Information shall include:
 - a. Diagram to chart the flow of recyclable material from each portion of the development to the recycling and trash enclosure(s). Include location of receptacle(s), frequency of collection, and who is responsible for collecting and transporting recyclable materials. Identify specific materials to be targeted for recycling.
 - b. Site Plan to include the location and design specifications of the recycling and trash enclosure(s) and receptacle(s) that shall meet the Volume and Material Requirements (Section 34-E) and the Design Guidelines (Sections 34.F, 34.G, and 34.H).
 - c. Construction Plan to specify any recycled material to be used in the construction of the proposed development. (For example, recycled brick, tile, or insulation made from recycled plastics)
 - d. Demolition Plan to specify any proposed recycling of reusable or recyclable building material in the demolition of any structure on the subject site. Each demolition permit request shall be reviewed by a Waste Reduction Coordinator or other designee of the Director of Public Works.
 - e. Education/ Public Relations Program to instruct users of the development about the benefits of recycling and how to recycle.
2. A Statement of Recycling Information for new development that requires approval from the Planning Director or Planning Commission shall be reviewed by the Planning staff as part of the project application process. A Statement of Recycling Information for new development that does not require such approval shall be reviewed and approved by the Building staff as part of the Building Permit process. A Statement of Recycling Information for existing development shall be reviewed by a Waste Reduction Coordinator or other designee of the Director of the Public Works Department.

- E. RECYCLING VOLUME REQUIREMENT: An area of the development, known as "Recycling Volume", shall be indicated on the plans for the collection and storage of recyclable materials. Recycling Volume shall be provided as specified in Table A below for the use or uses to which the property is devoted. To determine the volume required and the suggested materials to be recycled for a land use:
1. Find the proposed use or uses in the first column.
 2. Read the chart under "Recycling Volume Required" to find the minimum volume of receptacle capacity that must be provided to separate, store, and recycle materials. Read the chart under "Suggested Recyclable Materials" to find the suggested types of materials to be collected.
 3. If there is more than one use, add the "Recycling Volume Required" for each use to find the total volume for the development.
 4. Fractional Requirement: For volume required, fractional requirements up to one-half shall be omitted. One-half or over shall require additional volume.
 5. For new developments, if compliance with the volume requirement or the materials to be recycled results in an unnecessary hardship to the owner, a Variance may be requested pursuant to Subsection I.
 6. For existing development, if compliance with the volume requirement, the materials to be recycled, or the time period (Section 34-G) results in a practical difficulty or unnecessary hardship to the owner, a Variance may be requested.

TABLE A		
LAND USE	RECYCLING VOLUME REQUIRED	SUGGESTED RECYCLABLE MATERIALS
1. MULTI-FAMILY RESIDENTIAL (5 or more units)	1 cubic yard/ 16 units	metal, glass, plastics, newspaper (ONP)
2. COMMERCIAL		
a. Office and general commercial	1 cubic yard/ 40,000 square feet	beverage containers, office paper, computer paper, newspaper (ONP), corrugated cardboard (OCC)
b. Restaurant-Bar	1 cubic yard/ 5,000 square feet 90 gallon container minimum	metal, glass, plastics, corrugated cardboard (OCC)
c. Retail sales	1 cubic yard/ 8,000 square feet 90 gallon container minimum	corrugated cardboard (OCC), office paper, computer paper
d. Retail services	1 cubic yard/ 10,000 square feet 90 gallon container minimum	corrugated cardboard (OCC), office paper, computer paper
e. Motel/ Hotel/ Inn/ Bed and Breakfast	1 cubic yard/ 20 rooms 90 gallon container minimum	metal, glass, plastics, newspaper (ONP)
f. Auto service and repair	1 cubic yard/ 3,000 square feet	tires, motor oil, scrap metal
3. INDUSTRIAL	propose volume in Recycling Information	propose materials in Recycling Information
4. PUBLIC/ QUASI-PUBLIC		
a. School	1 cubic yard/ 50 classrooms	office paper, computer paper, corrugated cardboard (OCC), beverage containers
b. Library or Church	calculate volume using office sq.ft.	office paper, computer paper
c. Park	supply recycling receptacle with each garbage receptacle unless park prohibits food and drink from outside the park and food and beverage containers provided in the park are paper only.	beverage containers
5. HOSPITAL/ MEDICAL CLINIC	none except cafeteria (Sec 2.b above) and vending machines (Sec. 34.G.1)	metal, glass, plastics, corrugated cardboard (OCC)
6. OTHER LAND USES	propose volume in Recycling Information	propose materials in Recycling Information

F. RECYCLING AND TRASH ENCLOSURE DESIGN GUIDELINES FOR NEW DEVELOPMENT:

1. Enclosure(s) and Receptacle(s) Requirement:

1. Multiple Family Residential with 5 or more units;
 2. Any commercial, office, public/ quasi-public project where garbage receptacle(s) are being used and the receptacles(s) are not stored wholly within the building;
 3. Any industrial project where garbage receptacle(s) are being used and the garbage receptacle(s) are not screened by landscaping, fencing or a structure.
- b. Recycling and Trash Receptacles of sufficient volume and number to meet the requirements in Table A above shall be required for every other new commercial, office, industrial, or public/ quasi-public development.

2. Materials, Construction, and Design: The following regulations shall apply for Recycling and Trash Enclosure materials, construction, and design:

- a. The walls of each recycling and trash enclosure shall be constructed of solid masonry material with decorative exterior surface finish compatible to the main structure(s). Split face concrete block finish is recommended.
- b. Each recycling and trash enclosure shall have decorative solid heavy gauge metal gates and be designed with cane bolts
- c. For ~~multi-family residential developments~~, each recycling and trash enclosure or receptacle shall be designed to allow the convenient disposal of recyclable materials and trash by residents without having to open the main enclosure gates.
- d. The walls of each recycling and trash enclosure shall be a minimum of six feet in height.
- e. A concrete apron shall be constructed either in front of each recycling and trash enclosure or at the point of receptacle pick-up by the recycling collection or waste removal vehicle to minimize damage to the surrounding asphalt paving. The minimum dimensions of the concrete apron for a two cubic yard receptacle shall be 10 feet wide and 20 feet long. Paving material shall consist of five inch aggregate base rock and six inch portland cement paving. Receptacles that are larger than two cubic yards shall require a larger concrete apron, subject to the approval of the City Building Inspection Division.
- f. The enclosures and receptacles shall be adequate in capacity, number, and distribution to serve the development.
- g. The property owner is responsible for supplying and maintaining adequate receptacles for recycling and waste disposal. Location, type, and placement of receptacles shall be subject to approval by the City.
- h. Maintenance of each recycling and trash enclosure shall be the responsibility of the property owner.
- i. Whenever feasible, the recycling collection area and the trash collection area shall be adjacent to one another in one enclosure.

3. Educational Signs: Signs shall be permanently posted or painted on each receptacle listing which material shall be disposed of in that receptacle. General instructions about how to recycle shall be posted within the recycling and trash enclosure or near the receptacle area and shall be visible to the enclosure/ receptacle users. The name and phone number of the person responsible for maintenance of the enclosure or receptacles shall be posted. Any sign visible from outside the enclosure shall be no larger than 4 square feet.
4. Landscaping: The perimeter of the recycling and trash enclosure shall be planted with landscaping, including a combination of shrubs and/or climbing evergreen vines.
5. Setbacks: No recycling or trash enclosure or receptacle shall be located in any required setback area.
6. Parking: With the exception of Section 34-G-4 for existing development, no recycling or trash enclosure or receptacle shall be located in any required parking space.

Proximity of Recycling and Trash Enclosure from Multi-Family Units: Each recycling and trash enclosure within a multi-family residential development shall be no greater than 250 feet from the nearest point of each unit.

8. Regular Collection: The property owner is responsible for contracting with the recycling broker(s) for regular pick-up of recycled material. Recyclable material shall not be allowed to accumulate such that a visual or public health or safety nuisance is created.
9. Security: The recycling and trash enclosure and receptacles may be secured to prevent the theft of recyclable materials by unauthorized persons yet the enclosure shall be accessible for disposal of materials by authorized persons.

G. RECYCLING AND TRASH ENCLOSURE DESIGN GUIDELINES FOR EXISTING DEVELOPMENT: The following regulations shall apply to all existing development that is multi-family residential with 5 units or more, commercial, office, industrial, or public/ quasi-public uses.

1. Existing Trash Enclosure:
 - a. If the existing development has an existing trash enclosure, then the required recycling receptacles shall, to the extent possible, be located inside the trash enclosure. The required recycling volume and suggested recyclable materials are those listed in Table A in Section 34-E.
 - b. If it is not possible to locate the required recycling receptacles in the trash enclosure, the recycling receptacles shall be located adjacent to the existing trash enclosure. Any proposed modifications to the existing trash enclosure shall comply with the requirements listed in Section 34-F-2 through 34-F-9. Any proposed recycling and trash enclosure(s) shall comply with the requirements listed in Section 34-F-2 through 34-F-9. The required recycling volume and suggested recyclable materials are those listed in Table A in Section 34-C.
2. No Existing Trash Enclosure: If the existing development does not have an existing trash enclosure, the required recycling receptacles shall be located adjacent to the existing dumpster or other receptacle. Any proposed recycling and trash enclosure(s) shall comply with the requirements listed in Section 34-F-2 through 34-F-9. The required recycling volume and suggested recyclable materials are those listed in Table A in Section 34-C.

3. Waiver of Parking Requirement: In order to meet the required recycling volume requirement, an existing development may use one parking space for the location of the recycling receptacles, provided the enclosure or receptacles meet the design specifications in Section 34-F-2 through 34-F-9. A parking space that has been converted to recycling receptacle area shall be marked for recycling and shall be adequately barricaded by the installation of concrete wheel stops or other method to prevent use as a parking space.
4. Waiver of Setback Requirement: No recycling or trash enclosure or receptacle shall be located in any required setback area. Existing enclosures located in any minimum required setback may be enlarged in order to comply with the recycling design guidelines. The proposed addition shall not be located any closer to the property line than the existing enclosure and the addition shall not exceed 50 square feet in area.
5. Regular Collection: The property owner is responsible for contracting with the recycling broker(s) for regular pick-up of recyclable material. Recyclable material shall not be allowed to accumulate such that a visual or public health or safety nuisance is created.
6. Time Period for Compliance: The property owner of each existing development shall have two years from notification by the City of Sacramento to implement the addition of the required recycling receptacles and the required modification or addition of the trash enclosure and screening.

H. SPECIAL RECYCLING DESIGN REQUIREMENTS:

1. All vending machine companies shall provide and service recycling receptacles for the recycled beverage containers collected wherever vending machines are provided.
2. The recycling and trash enclosure shall be designed to allow 18 feet of overhead clearance whenever crane-lifted dome recycling receptacles will be used. The concrete apron shall be increased to 15 feet wide and 20 feet long whenever a crane-lifted recycling receptacle will be used.
3. Residential developers and property owners are encouraged to include recycling space or systems within the residence; such as roll-out drawers below the sink for recycling receptacles; fire-proof, cleanable, secure chutes from the living space to the garage receptacles, etc.
4. Restaurants, bars, and food establishments are encouraged to use reusable soda canisters whenever possible instead of individually packaged glass bottles and cans.
5. The use of balers to compact and bale cardboard, office paper, computer paper, and other products is encouraged. The sharing of balers among tenants within an office, commercial, or retail center is also encouraged.

I. VARIANCE: If compliance with the Recycling Volume Requirement and the Design Guidelines results in an unnecessary hardship to the property owner of a new or existing development, a Planning Director's Variance may be requested. The application, notice, and appeal requirements of Section 14 shall apply to Planning Director's Variance sought pursuant to this subparagraph. A Variance shall not be approved unless the following findings of fact are made by the Planning Director:

1. The project will not be detrimental to public health, safety, or welfare nor result in a nuisance.
2. The project will provide adequate capacity, number, and distribution of recycling and trash enclosures and receptacles to serve the new or existing development.

Section 7 Add Section 34.1 SITE REGULATIONS FOR RECYCLING FACILITIES

Section 34.1 is hereby added to the Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, as amended, to read as follows:

SECTION 34.1: SITE REGULATIONS FOR RECYCLING FACILITIES

A. PURPOSE

The purpose of this section is to provide siting regulations for facilities which provide for the redemption, collection, storage, and processing of recyclable materials. In order to increase recycling and decrease solid waste disposal at the landfill, recycling facilities shall be permitted at locations which are compatible with surrounding land uses and where those facilities will not create a visual or public health or safety nuisance.

B. PERMITS REQUIRED

No person shall place, construct or operate or permit the placement, construction or operation of any recycling facility without first obtaining a permit pursuant to the provisions set forth in this Section. Recycling facilities may be permitted as set forth in the following table.

<u>Type of Facility</u>	<u>Zones Permitted</u>	<u>Permit Required</u>
<u>Reverse Vending Machines</u> (meeting the standards of paragraph D.1.)	SC, C-1, C-2, C-3, C-4, M-1, M-2, M-1(S), M-2(S)	Administrative (must comply with Sec. 34.1.D.1)
<u>Small Recyclable Collection Facility</u> (other than Reverse Vending Machines meeting the standards of paragraph D.1)	SC, C-1, C-2, C-3, C-4, M-1, M-2, M-1(S), M-2(S)	Administrative (must comply with Sec. 34.1.D.2)
<u>Large Recyclable Collection Facility</u>	C-4	Planning Director's Special Permit
	M-1, M-2, M-1(S), M-2(S)	Administrative (must comply with Sec. 34.1.D.3)
<u>Recycled Material Recovery Facility</u> (except a Yard Waste/Composting Facility)	M-1, M-2, M-1(S), M-2(S)	Administrative (must comply with Sec. 34.1.D.3)
<u>Yard Waste Composting Facility</u>	A	Planning Director's Special Permit
	M-1, M-2, M-1(S), M-2(S)	Planning Commission Special Permit

C. PERMITS FOR MULTIPLE SITES

A single Administrative or Special Permit may be granted to allow more than one reverse vending machine installation or small collection facility located on different sites under the following conditions:

1. The operator of each of the proposed facilities is the same;
2. The proposed facilities are determined by the Planning Director to be similar in nature, size and intensity of activity; and
3. All of the applicable criteria and standards set forth in D. below are met for each such proposed facility.

D. CRITERIA AND STANDARDS

Those recycling facilities permitted with an Administrative Permit shall meet all of the criteria and standards listed below. Those recycling facilities permitted with a Planning Director's Special Permit shall meet the criteria and standards, provided the Planning Director may modify these standards as an exercise of discretion upon a finding that such modifications are reasonably necessary in order to implement the general intent of this Section. Those recycling facilities permitted with a Planning Commission Special Permit shall meet the criteria and standards, provided the Planning Commission may approve additional conditions as are reasonably necessary in order to implement the general intent of this Section. The criteria and standards for recycling facilities are as follows:

1. Reverse Vending Machines

- a. A Reverse Vending Machine is an automated mechanical device which accepts one or more types of empty beverage containers and other recyclable material, including, but not limited to aluminum cans, glass, and plastic bottles, and issues a cash refund or a redeemable credit slip with a value not less than the container's redemption value, as determined by the State. A reverse vending machine may sort or process containers mechanically provided that the entire process is enclosed within the machine.
- b. Reverse Vending Machines shall not require additional parking spaces for recycling customers and may be permitted in all Commercial and Industrial zones with Administrative approval provided that they comply with the following standards:
 1. Shall be established in conjunction with a Commercial use which is in compliance with the Zoning, Building and Fire Codes of the City of Sacramento;
 2. Shall be located within 30 feet of the entrance to the Commercial structure and shall not obstruct pedestrian or vehicular circulation;
 3. Shall not occupy parking spaces required by the primary use and shall be placed on the apron of the host facility when possible;
 4. Shall occupy no more than 50 square feet of floor space per installation, including any protective enclosure, shall be no more than eight feet in height, and shall consist of no more than one set of machines per host facility;
 5. Shall be constructed of durable waterproof and rust proof material;
 6. Shall be clearly marked to identify the type of material to be deposited; operating instructions and the identity and phone number of the operator or responsible person to call if the machine is inoperative;

7. Shall have a sign area of a maximum of four square feet per machine, exclusive of operating instructions;
8. Shall be maintained in a fully functioning, litter-free, dust-free condition on a daily basis;
9. Shall not have a noise level that exceeds California Occupational Safety and Health Association standards and City/County Noise Ordinance;
10. Operating hours shall be at least the operating hours of the host; and
11. Shall be illuminated to ensure comfortable and safe operation if operating hours are between dusk and dawn.

2. Small Recyclable Material Collection Facilities

- a. A Small Recyclable Material Collection Facility is a facility for the acceptance (donation, redemption, or sale) of recyclable materials from the public which occupies an area of not more than 500 square feet. Such a facility shall not use power-driven processing equipment except as indicated in Criteria and Standards below. Small Collection facilities are:
 1. Reverse Vending Machine(s);
 2. Mobile Recycling Center(s);
 3. Kiosk type units and bulk vending machines, including "igloo" receptacles; or
 4. Unattended receptacles placed for the donation of recyclable materials.
- b. Small Collection Facilities may be sited in Commercial and Industrial zones with Administrative approval provided they comply with the following conditions:
 1. Shall be established in conjunction with an existing Commercial use or Community Service Facility which is in compliance with the Zoning, Building and Fire Codes of the City of Sacramento;
 2. Shall be no larger than 500 square feet, and occupy no more than five parking spaces not including spaces that will be periodically needed for removal of materials or exchange of receptacles. No parking spaces required for the primary host use may be occupied by the facility;
 3. Shall be set back at least ten (10) feet from any street or building or shall not be located in any required setback and shall not obstruct pedestrian or vehicular circulation;
 4. Shall accept only glass bottles, metals, plastic containers and papers;
 5. Except for bulk reverse vending machines, shall use no power-driven processing equipment;
 6. Shall use receptacles that are constructed and maintained with durable waterproof and rust proof material, covered when site is not attended, secure from unauthorized entry or removal of material and shall be of a capacity sufficient to accommodate materials collected and collection schedule;
 7. Shall store all recyclable material in receptacles or in the mobile center vehicle and shall not leave materials outside of receptacles when attendant is not present;

8. Shall be maintained free of litter and any other undesirable materials, and mobile facilities, at which truck or receptacles are removed at the end of each collection day, shall be swept at the end of each collection day;
9. Shall not exceed noise levels of 55 dBA as measured at the property line of Residentially zoned or occupied property, otherwise shall not exceed 70 DBA;
10. Attended facilities located at community service sites shall be in operation only during the hours between dawn and dusk; and facilities located within 100 feet of a property zoned or occupied for Residential use shall operate only during the hours between 9:00 a.m. and 7:00 p.m.;
11. Receptacles shall be clearly marked to identify the type of material which may be deposited; the facility shall be clearly marked to identify the name and telephone number of the facility operator and the hours of operation and display a notice stating that no material shall be left outside the recycling enclosure or receptacles;
12. Materials shall be removed from the facility on a routine basis;
13. Signs may be provided as follows:
 - a) Recycling centers may have identification signs with a maximum of 20 percent per side or sixteen (16) square feet, whichever is smaller, in addition to information signs required in Section condition 11 above;
 - b) Signs must be consistent with the character of the location;
 - c) Directional signs, bearing no advertising message, may be installed which are consistent with Sign Ordinance regulations if necessary to facilitate traffic circulation, or if the facility is not visible from the public right-of-way; and
 - d) The Planning Director may authorize increases in the number and size of signs upon findings that it is compatible with adjacent businesses.
14. The facility shall not impair the landscaping required for any concurrent use by this Title or any permit issued pursuant thereto;
15. No additional parking spaces will be required for customers of a small collection facility located at the established parking lot of a host use. One space will be provided for the attendant, if needed;
16. Mobile recycling centers shall have an area clearly marked to prohibit other vehicular parking during hours when mobile center is scheduled to be present; and
17. Occupation of parking spaces by the facility and by the attendant shall not reduce available parking spaces below the minimum number required for the primary host.

3. Large Collection Facility or Material Recovery Facility

- a. A Large Collection Facility is a facility for the acceptance of recyclable materials from the public which occupies an area larger than 500 square feet. Such a facility may use power-driven processing equipment as indicated in the Criteria and Standards below.

- b. A Recyclable Material Recovery Facility is a processing facility that accepts recyclable materials from collection facilities, other material recovery facilities, and the public, processes the materials into a resalable condition, and markets the materials to companies to reuse.
 - c. Large collection facilities may be sited in the Heavy Commercial zone with a Planning Director's Special Permit or in an Industrial zone with Administrative approval, provided the facility complies with the conditions below. Material recovery facilities may be sited in Industrial zones with Administrative approval provided they comply with the following conditions:
 - 1. Shall not be located in any setback area and shall meet parking requirements as set forth for warehouse uses in Section 6-A-14.
 - 2. Shall not accept material to be composted.
 - 3. Shall store all recyclable material in receptacles, within an on-site building, or behind a screened area.
 - 4. Shall be screened from the front of the property with fencing and landscaping.
 - 5. Shall not exceed noise levels of 55 DBA as measured at the property line of Residentially zoned or occupied property, otherwise shall not exceed 70 DBA.
 - 6. Operating hours shall not exceed 8 A.M. to 7 P.M. when located within 200 feet of a Residentially zoned or occupied property.
 - 7. The facility shall not impair any required landscaping.
 - 8. Signs may be provided as follows:
 - a) Signs must meet the requirements in the Sign Ordinance for the zone in which the facility is located;
 - b) Signs must be consistent with the character of the location;
 - c) Directional signs, bearing no advertising message, may be installed which are consistent with Sign Ordinance regulations if necessary to facilitate traffic circulation; and
 - d) The Planning Director may authorize increases in the number and size of signs upon findings that these signs are compatible with adjacent land uses.
4. Yard Waste Composting Facility
- a. A Yard Waste Composting Facility is a facility that accepts garden, wood, and other organic waste to reprocess into compost, soil amendments, wood chips, or other products.
 - b. Yard Waste Composting facilities may be sited in Industrial zones with a Planning Commission Special Permit or in an Agriculture zone with a Planning Director's Special Permit provided they comply with the following conditions:
 - 1) Yard Waste Composting facilities located in the Agriculture zone must have a 25 foot front setback from the public right-of-way and shall be screened from the front or street side of the property with fencing and landscaping.

- 2) Yard Waste Composting facilities located in the Agriculture zone may provide the following signs:
 - a) One monument sign not to exceed 12 feet in height and not to exceed 32 square feet in sign area;
 - b) Directional signs, bearing no advertising message, may be installed which are consistent with the Sign Ordinance regulations if necessary to facilitate traffic circulation; and
 - c) The Planning Director may authorize increases in the number and size of signs upon findings of fact that these signs are compatible with adjacent land uses.
3. Yard Waste Composting facilities in the Industrial zones must meet the same requirements as the Large Collection and Material Recovery Facilities (Section 34.1-D-3), except:
 - a) condition 2 in Section 34.1-D-3 does not apply, and
 - b) the composting facility cannot be closer than 200 feet to an adjacent Residentially zoned or occupied property.

(Ordinance No. ***, date)

Passed for Publication:
Enacted:
Effective:

ATTEST:

MAYOR

CITY CLERK